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**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
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Docket Number (Optional)

00043.05CON

In re Application of: RABINOWITZ ET AL.

Application No.: 10/766,279

Filed: JANUARY 27, 2004

For: DELIVERY OF NONSTEROIDAL ANTIINFLAMMATORY DRUGS THROUGH AN INHALATION ROUTE

The owner*, ALEXZA MOLECULAR DELIVERY CORPORATION, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,855,310 B2 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
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- is reissued; or
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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 48,053

Darla G. Yoerg September 22, 2005
Signature Date

DARLA G. YOERG

Typed or printed name

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